

Lyon & Lyon LLP Docket Information 258/083

DECLARATION Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.					
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR NETWORK BASED MARKETING the specification of which					
(Check One)		was filed on as	is attached hereto OR was filed on as United States Application Serial No. Not yet assigned or PCT International Application No and was amended on (if applicable).		
		eviewed and understanded by any amendment	d the contents of the above-i (s) referred to above.	dentified sp	ecification,
		sclose information which e of Federal Regulations	h is material to the patentabilits, § 1.56.	y of this app	plication in
foreign application(s) f which designated at leadentified below, by ch	or pate ast one ecking	ent or inventor's certifica country other than the the box, any foreign ap	, United States Code, § 119(a) ate, or § 365(a) of any PCT in United States of America, liste uplication for patent or inventor in the that of the application on wh	nternational d below and 's certificate	application have also , or of any
Prior Foreign Application Numbe	r(s)	Country	Date of Filing	Priority	Claimed
				Yes	No
I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.					
Application Number	er(s)	Filing Date			
§ 365(c) of any PCT in insofar as the subject	nternation matter	onal application designation of each of the claims of	es Code, § 120 of any United S ating the United States of Ame of this application is not discloser provided by the first paragra	erica, listed be sed in the p	pelow and, rior United

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of

the prior application and the national or PCT international filing date of this application.

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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Robert	MIDDLE Initial Carl	LAST Name Silkey	
	RESIDENCE & CITIZENSHIP	City La Jolla	State or Foreign Country CA	Country of Citizenship United States	
	POST OFFICE ADDRESS	252 Palomar Avenue	City La Jolla	State or Country	Zip Code 92037
IN	VENTOR'S SIGNATU		DATE		

202	FULL NAME OF INVENTOR	FIRST Name Michael	MIDDLE Initial	LAST Name Kremliovsky	
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	POST OFFICE ADDRESS	9765 Caminito Doha	City San Diego	State or Country CA	Zip Code 92131
INV	ENTOR'S SIGNATU	DATE			

203	FULL NAME OF INVENTOR	FIRST Name Teodorico	MIDDLE Initial P.	LAST Name Ricasa				
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INV	INVENTOR'S SIGNATURE DATE							

204	FULL NAME OF INVENTOR	FIRST Name David	MIDDLE Initial W.	LAST Name Evans				
	RESIDENCE & City CITIZENSHIP La Jolla		State or Foreign Country CA	Country of Citizenship United States				
	POST OFFICE ADDRESS	1055 Muirlands Vista Way	City La Jolla	State or Country CA	Zip Code 92037			
INV	INVENTOR'S SIGNATURE //// DATE 27 Dec 232)							

205	FULL NAME OF INVENTOR	FIRST Name Dennis	MIDDLE Initial	LAST Name Gerasimenko	
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country	Country of Citizenship Ukrainian	
	POST OFFICE ADDRESS	4058 Mahaila Avenue #D	City San Diego	State or Country CA	Zip Code 92122
INV	ENTOR'S SIGNATU		DATE		









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sought on the invention entitled SYS1	EM AND METHOD FOR NETWOR	K RASED MARKETING
the specification of which		IN BAGED MARKETING

- 1	sought on the invention en the specification of which	ntitle	d SYSTEM AND METH	oject OD I	matter which is claimed FOR NETWORK BASED	and for which MARKETING	a patent is
	(Check One)	X	is attached hereto OF was filed on as U PCT International Apapplicable).	nited	States Application Serial ation No and wa	No. Not yet a	assigned or (if
i	I hereby state that I har including the claims, as ar	ve r men	eviewed and understar ded by any amendment(nd th s) re	e contents of the above ferred to above.	e-identified s	pecification,
1	acknowledge the duty taccordance with Title 37,	o di Cod	sclose information whic e of Federal Regulations	h is s, § 1	material to the patentab .56.	ility of this a	oplication in
i i	I hereby claim foreign pri foreign application(s) for which designated at least identified below, by checl PCT international applicat	pate t one king	ent or inventor's certific country other than the the box, any foreign ar	ate, Unit oplica	or § 365(a) of any PCT ed States of America, lis ation for patent or invent	international ted below an or's certificate	application d have also
	Prior Foreign Application Number(s	,	Country		Date of Filing	Priority	Claimed
		1				Yes	No
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ا د	hereby claim the benef application(s) listed below	it ur	nder Title 35, United Si	tates	Code §119(e) of any L	Inited States	provisional
	Application Number(s	s)	Filing Date				
	I and the second						

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the

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prior application and the national or PCT international filing date of this application.



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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name MIDDLE Initial Carl		LAST Name Silkey		
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IN∖	/ENTOR'S SIGNATU	RE- KELLERY		DATE /2/27/2000		

202	FULL NAME OF INVENTOR	FIRST Name David	MIDDLE Initial W.	LAST Name Evans	
	RESIDENCE & CITIZENSHIP	City La Jolla	State or Foreign Country CA	Country of Citizen United States	ship
	POST OFFICE ADDRESS	1055 Muirlands Vista Way	City La Jolla	State or Country CA	Zip Code 92037
IN	VENTOR'S SIGNAT	URE		DATE	

203	FULL NAME OF INVENTOR	FIRST Name Teodorico	MIDDLE Initial P.	LAST Name Ricasa	
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	POST OFFICE ADDRESS	232 Playa del Sur	City La Jolla	State or Country CA	Zip Code 92037
INV	ENTOR'S SIGNATUR	RE Collinse	Vicino	DATE 12/2	7/2000

204	FULL NAME OF INVENTOR	FIRST Name Dennis	MIDDLE Initial	LAST Name Gerasimenko	
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country CA	Country of Citizens Ukrainian	hip
	POST OFFICE ADDRESS	4058 Mahaila Avenue	City San Diego	State or Country CA	Zip Code 92122
INVENTOR'S SIGNATURE Law DATE 12.27. Zoop					

205	FULL NAME OF INVENTOR	FIRST Name Michael	MIDDLE Initial	LAST Name Kremliovsky	
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country CA	Country of Citizen Russia	ship
	POST OFFICE ADDRESS	9765 Caminito Doha	City San Diego	State or Country CA	Zip Code 92131
INV	ENTOR'S SIGNATUR	E NKpoli		DATE 12/27	12000



POWER OF ATTORNEY By Assignee

EINSTEIN INDUSTRIES, INC., assignee(s) of the application for United States Letters Patent for an improvement in

SYSTEM AND METHOD FOR NETWORK BASED MARKETING
by Robert Carl Silkey, Michael Kremliovsky, Teodorico P Ricasa, David W. Evans, and
Dennis Gerasimenko

the specification of which:				
is filed herewith, OR □ was filed on , having U.S. Patent	Application Serial No. ,			
does hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 22249:				
22249 PATENT TRADEMARK OFFICE	LYON & LYON LLP Suite 4700 633 W. Fifth Street Los Angeles, CA 90071 (213) 489-1600			
Please send all correspondence to the attention of Pattric J. Rawlins, at the above Customer Number, and direct all telephone calls to (858) 552-8400.				
I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:				
 is filed for recordation herewith; or was recorded at Reel, Frame; or has been sent for recordation under separate cover, copy attached herewith. 				
To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).				
Full Name of Assignee: EINSTEIN INDUSTRIES, INC.				
Post Office Address: 5699 La Jolla Boulevard, La Jolla, CA. 92037				
Signature of Declarant or Assignee:	Date: 200			
Full Name of Declarant				
If Other Than Assignee: Dr. David W Evans				
Title of Declarant: President and COO Address of Declarant: EINSTEIN INDUSTRIES. IN	C. 5500 La Jalla Roulovard La Jalla CA 02027			
TANDRESS OF DECIARANT EINSTEIN INDUSTRIES. IN	U., possita julia dullevalu, La julia, UM. 9203/			